

Notice of Allowability

Application No.

09/539,734

Examiner

David J. Huisman

Applicant(s)

HAMMARLUND ET AL.

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on May 9, 2006.
2. ☒ The allowed claim(s) is/are 1-2, 4, 6-14, 16, 18, 20-22, hereafter renumbered as 1-17.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Thomas Coester, Reg. No. 39,637 on June 28, 2006. The application has been amended as follows:

Amendment to the Title

2. The final title should read "Method and Apparatus to Selectively Advance a Write Pointer for a Queue Based on the Indicated Validity or Invalidity of a Trace Instruction Stored Within the Queue".

Amendments to the Claims

3. Regarding claim 1:
 - a) In line 5, replace "includes a" with --includes one of a--.
 - b) In line 10, replace "indicated invalidity" with --state--.
 - c) In the 2nd to last paragraph, replace "if the first microinstruction includes the valid state, the qualitative determination is to retain the first microinstruction, then advancing the write pointer to indicate" with --if the first microinstruction includes the valid state,

then the qualitative determination is to retain the first microinstruction and the write pointer is advanced to indicate--.

d) In the last paragraph, replace “if the first microinstruction includes the invalid state, the qualitative determination is not to retain the first microinstruction, then maintaining the write pointer to indicate” with --if the first microinstruction includes the invalid state, then the qualitative determination is not to retain the first microinstruction and the write pointer is maintained to indicate--.

4. Regarding claim 8:

a) In line 3, replace “an microinstruction” with --a microinstruction--.

5. Regarding claim 13:

a) In line 3, replace “includes a” with --includes one of a--.

b) In line 5, replace “based on the first state and the invalid state” with --based on the one of the valid state and the invalid state--.

c) In line 6-7, replace “if the first microinstruction includes the valid state, the qualitative determination is to retain the first microinstruction, to advance a write pointer to indicate” with --if the first microinstruction includes the valid state, then the qualitative determination is to retain the first microinstruction and a write pointer is advanced to indicate--.

d) In lines 9-10, replace “if the first microinstruction includes the invalid state, the qualitative determination is not to retain the first microinstruction, to maintain the write pointer to indicate” with --if the first microinstruction includes the invalid state, then the

qualitative determination is not to retain the first microinstruction and the write pointer is maintained to indicate--.

6. Regarding claim 21:

a) In line 6, replace “includes a” with --includes one of a--.

b) In line 11, replace “indicated invalidity” with --state--.

c) In the 2nd to last paragraph, replace “if the first microinstruction includes the valid state, the qualitative determination is to retain the first microinstruction, then advancing the write pointer to indicate” with --if the first microinstruction includes the valid state, then the qualitative determination is to retain the first microinstruction and the write pointer is advanced to indicate--.

d) In the last paragraph, replace “if the first microinstruction includes the invalid state, the qualitative determination is not to retain the first microinstruction, then maintaining the write pointer to indicate” with --if the first microinstruction includes the invalid state, then the qualitative determination is not to retain the first microinstruction and the write pointer is maintained to indicate--.

Conclusion

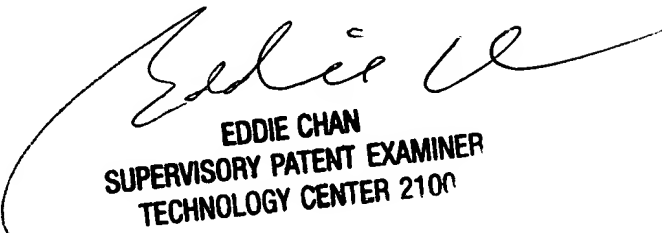
Any inquiry concerning this communication or earlier communications from the examiner should be directed to David J. Huisman whose telephone number is (571) 272-4168. The examiner can normally be reached on Monday-Friday (8:00-4:30).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eddie Chan can be reached on (571) 272-4162. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DJH
David J. Huisman
July 5, 2006



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